Ser. No. 10/589,174   PU040008
Amdt. dated April 20, 2011
Reply to Office Action of December 20, 2010

Remarks/Arguments

Applicants respectfully request reconsideration of the rejection of the claims in view of the remarks set forth below.

35 U.S.C. §102 and §103

Claims 1, 2, 5, 6, 7, 11, 12 and 14, stand rejected under 35 U.S.C. §102(b) as being anticipated by Klomsdorf et al. (U.S. Patent No. 6,281,748; hereinafter referred to as "Klomsdorf").

Claims 3, 4, 8-10, 13 and 15, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Klomsdorf.

It is respectfully asserted that Klomsdorf fails to disclose either:

"memory means for storing digital values based upon the crest factors associated with a plurality of types of modulation,"

or:

"amplifying means for amplifying the transmission signal controlled by the analog signal converted from said retrieved digital value based on the crest factor corresponding to the type of modulation associated with a transmission signal, decreasing bias current when decreasing the efficiency per bit of the digital modulation and vice versa,"

as described in claim 1.

In Klomsdorf, "a modulation format switch in signal communication with an amplifier, which produces a plurality of modulation format signals, and a load is described. The modulation format switch includes at least one matching network in signal communication with the amplifier and the load, where the at least one matching network capable of having a plurality of impedance values corresponding to the plurality of

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modulation format signals. The modulation format switch also includes a controllable element in the matching network, the controllable element capable of having more than one impedance value." (Klomsdorf Abstract)

Klomsdorf does not disclose, nor does the Office Action assert that it discloses, "memory means for storing digital values based upon the crest factors associated with a plurality of types of modulation." Klomsdorf makes no mention of storing digital values based upon crest factors or converting such digital values to analog signals for amplifier bias current control.

Furthermore, while Klomsdorf does describe altering "drain currents for different modulation format signals" and generating "an analog signal appropriate for the new modulation format signal," it does not describe adjusting bias in the same direction as the efficiency per bit of the modulation. (Klomsdorf, column 5, lines 24-42) Thus, Klomsdorf fails to disclose both "memory means for storing digital values based upon the crest factors associated with a plurality of types of modulation," and "amplifying means for amplifying the transmission signal controlled by the analog signal converted from said retrieved digital value based on the crest factor corresponding to the type of modulation associated with a transmission signal, decreasing bias current when decreasing the efficiency per bit of the digital modulation and vice versa," as described in currently amended claim 1.

In view of the above remarks, it is respectfully submitted there is no 35 USC 112 enabling disclosure provided by Klomsdorf, which makes the present invention as claimed in claim 1 unpatentable. It is further submitted that independent claims 5 and 11 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-4, 6-10, and 12-15 are dependent from allowable independent claims 1, 5, and 11 respectively, it is respectfully submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance.

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Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

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